

Public Law 88-419

AN ACT

August 11, 1964
[H. R. 7833]

To amend the Act entitled "An Act to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes", approved August 18, 1958 (72 Stat. 619).

Indian ranch-
erias.
Land distribu-
tion.

Distribution of
assets.

Sanitation and
irrigation facil-
ities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes," approved August 18, 1958 (72 Stat. 619), is amended to read as follows: "the lands, including minerals, water rights, and improvements located on the lands, and other assets of the rancherias and reservations lying wholly within the State of California shall be distributed in accordance with the provisions of this Act when such distribution is requested by a majority vote of the adult Indians of a rancheria or reservation or of the adult Indians who hold formal or informal assignments on the rancheria or reservation, as determined by the Secretary of the Interior. The requirement for a majority vote shall not apply to the rancherias and reservations that were at any time named in this section."

(b) Section 2(a) of such Act is amended by deleting "The Indians who hold formal or informal assignments on each reservation or rancheria, or the Indians of such reservation or rancheria, or the Secretary of the Interior after consultation with such Indians," and by substituting "When the Indians of a rancheria or reservation request a distribution of assets in accordance with the provisions of this Act, they, or the Secretary of the Interior after consultation with them,".

(c) Section 2(a) of such Act is further amended by changing the period at the end of the first sentence to a colon and adding: "*Provided*, That the provisions of this section with respect to a request for distribution of assets shall not apply to any case in which the requirement for such request is waived by section 1 of this Act, and in any such case the plan shall be prepared as though request therefor had been made."

(d) Section 2(b) of such Act is amended by changing the period at the end of the penultimate sentence to a colon and adding: "*Provided*, That the provisions of such plan may be modified with the approval of the Secretary and consent of the majority of the distributees."

(e) Section 3(c) of such Act is amended to read as follows:

"(c) To construct, improve, install, extend, or otherwise provide, by contract or otherwise, sanitation facilities (including domestic and community water supplies and facilities, drainage facilities, and sewage- and waste-disposal facilities, together with necessary appurtenances and fixtures) and irrigation facilities for Indian homes, communities, and lands, as he and the Indians agree, within a reasonable time, should be completed by the United States: *Provided*, That with respect to sanitation facilities, as hereinbefore described, the functions specified in this paragraph, including agreements with Indians with respect to such facilities, shall be performed by the Secretary of Health, Education, and Welfare in accordance with the provisions of section 7 of the Act of August 4, 1954 (58 Stat. 674), as amended (42 U.S.C. 2004a)."

(f) Section 3(e) of such Act is amended by deleting the word "non-Indian".

68 Stat. 674;
73 Stat. 267.

(g) Section 5 of such Act is amended by adding a new subsection as follows:

“(d) Any rancheria or reservation lying wholly within the State of California that is held by the United States for the use of Indians of California and that was not occupied on January 1, 1964, by Indians under a formal or informal assignment shall be sold by the Secretary of the Interior and the proceeds of the sale shall be deposited in the Treasury of the United States to the credit of the Indians of California. Any rancheria or reservation lying wholly within the State of California that is held by the United States for a named tribe, band, or group that was not occupied on January 1, 1964, may be sold by the Secretary of the Interior and the proceeds shall be deposited to the credit of the tribe, band, or group.”

Unoccupied
lands.
Sale.

(h) Section 10(b) of such Act is amended (1) by inserting after the words “their immediate families” the words “who are not members of any other tribe or band of Indians”, (2) by inserting after “because of their status as Indians”, the words “all restrictions and tax exemptions applicable to trust or restricted land or interests therein owned by them are terminated,”, and (3) by adding at the end of section 10(b) the following sentence: “The provisions of this subsection, as amended, shall apply in the case of a distribution of assets made either before or after the amendment of the subsection.”

(i) Section 11 of such Act is amended by inserting immediately after the words “as amended,” the words “or any other authority,”.

(j) Section 13 of such Act is amended by deleting “not to exceed \$509,235” and by substituting “such sums as may be necessary”.

Approved August 11, 1964.

Public Law 88-420

AN ACT

To permit the vessel United States ship Alabama to pass through the Panama Canal without payment of tolls.

August 11, 1964
[H. R. 11622]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, in order to facilitate the movement of the vessel United States ship Alabama from the west coast of the United States to a site in the State of Alabama where it is to be established as a public shrine, the vessel United States ship Alabama shall be permitted to pass through the Panama Canal from west to east without payment of tolls of any kind.

U.S.S. Alabama.

For the purposes of such transit through the Panama Canal the said vessel shall be regarded as a vessel operated by the United States within the meaning of section 412(c) of title 2 of Canal Zone Code (76A Stat. 27).

Approved August 11, 1964.